UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.
	)	
TWENTY-ONE THOUSAND, ONE HUNDRED	)	
TWENTY DOLLARS IN U.S. CURRENCY	)	
($21,120.00),	)	
	)	
Defendant.	)	

VERIFIED COMPLAINT OF FORFEITURE *IN REM*

COMES NOW, Plaintiff the United States of America, by and through its attorneys, Jeffrey

B. Jensen, United States Attorney for the Eastern District of Missouri, and Kyle T. Bateman,

Assistant United States Attorney, for said district, and for its Verified Complaint for Forfeiture

states as follows:

NATURE OF THE ACTION

1.   This is a civil action *in rem* brought by the United States seeking forfeiture of all

right, title, and interest in the above-captioned defendant property pursuant to Title 21, United

States Code, Section 881(a)(6).

2.   The defendant property was seized by law enforcement on or about February 7,

2018, and is described more fully as $21,120.00 in U.S. currency.

JURISDICTION AND VENUE

3.   The Court has jurisdiction over this action pursuant to Title 28, United States Code,

Sections 1345, 1355, and 1395.

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4.   Venue is proper pursuant to Title 28, United States Code, Section 1355(b)(1)(A) because the acts and omissions giving rise to forfeiture took place in the Eastern District of Missouri.   Venue is also proper pursuant to Title 28, United States Code, Section 1395(b) because the defendant currency was seized in the Eastern District of Missouri.

STATUTORY FRAMEWORK

5.   Title 21, United States Code, Section 881(a)(6) authorizes the civil forfeiture of "all moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of this subchapter, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of this subchapter."

FACTS GIVING RISE TO FORFEITURE

6.   Law enforcement received a tip that Richard Couch ("Couch") was travelling to Dallas, Texas, to purchase methamphetamines and that he was carrying a large quantity of U.S. currency.

7.   On or about February 7, 2018, law enforcement officers approached Couch at the St. Louis, Missouri Gateway Amtrak Station, located within the Eastern District of Missouri.

8.   When officers approached, Couch was sitting on a bench outside the main entrance of the Amtrak Station and was carrying a duffel bag and a laptop computer case.

9.   Officers asked Couch about his travel plans, and Couch stated that he was travelling to Dallas, Texas, to purchase a vehicle.

10.   Officers asked Couch if he had any drugs, firearms or large amounts of U.S. currency in his possession.   Couch stated that he had "twenty-one hundred" dollars and pointed to his laptop computer case.

11.   Couch consented to a search of both the laptop computer case and the duffel bag.

12.   Officers discovered a blue soft cloth bag within the laptop computer case that contained bulk U.S. currency.   There was no laptop computer inside the case.   The currency was separated into many small bundles and wrapped in different colored rubber bands.

13.   Officers told Couch that the bulk currency inside the laptop computer case appeared to be more than $2,100.   Couch told officers that he was actually carrying "twenty one thousand" dollars.

14.   The currency, which was primarily in denominations of $20 bills, was later counted and totaled to be $21,120.00.

15.   Couch told officers that he received the money from his mother after she passed away.

16.   Officers asked Couch for more information about the vehicle he planned to purchase in Texas.   In response, Couch told officers that the sales listing was no longer available.

17.   Officers asked Couch for the name and contact information for the individual from whom he planned to purchase the vehicle.   Couch told officers that he was buying the vehicle from "Manuel," but that he did not know "Manuel's" last name.

18.   Officers deployed a certified drug detection canine who alerted to the presence of narcotics on the seized currency.

COUNT ONE – FORFEITURE
21 U.S.C. § 881(a)(6)

19.   The United States incorporates by reference the allegations set forth in Paragraphs 1 to 17 above as if fully set forth herein.

20.   The defendant property was seized in transit to a known narcotics source area and was packaged in a manner consistent with drug trafficking.   In addition, the defendant property was being carried by an individual who provided inconsistent stories of its source, ownership and intended use.   Finally, a trained narcotics canine alerted positively to the presence of a controlled substance on the defendant property.

21.   The defendant property is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) as moneys furnished or intended to be furnished in exchange for a controlled substance, or as proceeds traceable to such exchange, and as money used or intended to be used to facilitate any violation of the Controlled Substances Act.

PRAYER FOR RELIEF

WHEREFORE, the United States of America prays that a Warrant for Arrest be issued for the defendant property and the defendant property be condemned and forfeited to the United States of America, in accordance with the provisions of law; and that the United States of America be awarded its costs in this action, and have such other relief as provided by law and the nature of the case may require.

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Respectfully submitted,

JEFFREY B. JENSEN
United States Attorney

/s/ Kyle T. Bateman
KYLE T. BATEMAN, #996646DC
Assistant United States Attorney
111 South Tenth Street, 20th Floor
St. Louis, Missouri 63102

VERIFICATION

I, Task Force Officer Adam Peel, hereby verify and declare under penalty of perjury that I am a Task Force Officer with the Department of Homeland Security, that I have read the foregoing Verified Complaint in rem and know the contents thereof, and that the matters contained in the Verified Complaint are true to my own knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Task Force Officer of the Department of Homeland Security.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: __07/02/2018__
(date)

Adam Peel
Task Force Officer
Department of Homeland Security

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✎JS 44   (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet.   (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a)   PLAINTIFFS

DEFENDANTS

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

II. BASIS OF JURISDICTION   (Place an "X" in One Box Only)

❒ 1   U.S. Government
Plaintiff

❒ 3   Federal Question
(U.S. Government Not a Party)

❒ 2   U.S. Government
Defendant

❒ 4   Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff
(For Diversity Cases Only)   and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	❒ 1	❒ 1	Incorporated or Principal Place of Business In This State	❒ 4	❒ 4
Citizen of Another State	❒ 2	❒ 2	Incorporated and Principal Place of Business In Another State	❒ 5	❒ 5
Citizen or Subject of a Foreign Country	❒ 3	❒ 3	Foreign Nation	❒ 6	❒ 6

IV. NATURE OF SUIT   (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
❒ 110 Insurance	**PERSONAL INJURY** **PERSONAL INJURY**	❒ 610 Agriculture	❒ 422 Appeal 28 USC 158	❒ 400 State Reapportionment
❒ 120 Marine	❒ 310 Airplane ❒ 362 Personal Injury -	❒ 620 Other Food & Drug	❒ 423 Withdrawal	❒ 410 Antitrust
❒ 130 Miller Act	❒ 315 Airplane Product Med. Malpractice	❒ 625 Drug Related Seizure	28 USC 157	❒ 430 Banks and Banking
❒ 140 Negotiable Instrument	Liability ❒ 365 Personal Injury -	of Property 21 USC 881		❒ 450 Commerce
❒ 150 Recovery of Overpayment	❒ 320 Assault, Libel & Product Liability	❒ 630 Liquor Laws	**PROPERTY RIGHTS**	❒ 460 Deportation
& Enforcement of Judgment	Slander ❒ 368 Asbestos Personal	❒ 640 R.R. & Truck	❒ 820 Copyrights	❒ 470 Racketeer Influenced and
❒ 151 Medicare Act	❒ 330 Federal Employers' Injury Product	❒ 650 Airline Regs.	❒ 830 Patent	Corrupt Organizations
❒ 152 Recovery of Defaulted	Liability Liability	❒ 660 Occupational	❒ 840 Trademark	❒ 480 Consumer Credit
Student Loans	❒ 340 Marine **PERSONAL PROPERTY**	Safety/Health		❒ 490 Cable/Sat TV
(Excl. Veterans)	❒ 345 Marine Product ❒ 370 Other Fraud	❒ 690 Other		❒ 810 Selective Service
❒ 153 Recovery of Overpayment	Liability ❒ 371 Truth in Lending	**LABOR**	**SOCIAL SECURITY**	❒ 850 Securities/Commodities/
of Veteran's Benefits	❒ 350 Motor Vehicle ❒ 380 Other Personal	❒ 710 Fair Labor Standards	❒ 861 HIA (1395ff)	Exchange
❒ 160 Stockholders' Suits	❒ 355 Motor Vehicle Property Damage	Act	❒ 862 Black Lung (923)	❒ 875 Customer Challenge
❒ 190 Other Contract	Product Liability ❒ 385 Property Damage	❒ 720 Labor/Mgmt. Relations	❒ 863 DIWC/DIWW (405(g))	12 USC 3410
❒ 195 Contract Product Liability	❒ 360 Other Personal Product Liability	❒ 730 Labor/Mgmt.Reporting	❒ 864 SSID Title XVI	❒ 890 Other Statutory Actions
❒ 196 Franchise	Injury	& Disclosure Act	❒ 865 RSI (405(g))	❒ 891 Agricultural Acts
REAL PROPERTY	**CIVIL RIGHTS** **PRISONER PETITIONS**	❒ 740 Railway Labor Act	**FEDERAL TAX SUITS**	❒ 892 Economic Stabilization Act
❒ 210 Land Condemnation	❒ 441 Voting ❒ 510 Motions to Vacate	❒ 790 Other Labor Litigation	❒ 870 Taxes (U.S. Plaintiff	❒ 893 Environmental Matters
❒ 220 Foreclosure	❒ 442 Employment Sentence	❒ 791 Empl. Ret. Inc.	or Defendant)	❒ 894 Energy Allocation Act
❒ 230 Rent Lease & Ejectment	❒ 443 Housing/ **Habeas Corpus:**	Security Act	❒ 871 IRS—Third Party	❒ 895 Freedom of Information
❒ 240 Torts to Land	Accommodations ❒ 530 General		26 USC 7609	Act
❒ 245 Tort Product Liability	❒ 444 Welfare ❒ 535 Death Penalty			❒ 900Appeal of Fee Determination
❒ 290 All Other Real Property	❒ 445 Amer. w/Disabilities - ❒ 540 Mandamus & Other			Under Equal Access
	Employment ❒ 550 Civil Rights			to Justice
	❒ 446 Amer. w/Disabilities - ❒ 555 Prison Condition			❒ 950 Constitutionality of
	Other			State Statutes
	❒ 440 Other Civil Rights			

V. ORIGIN   (Place an "X" in One Box Only)

❒ 1   Original
Proceeding

❒ 2   Removed from
State Court

❒ 3   Remanded from
Appellate Court

❒ 4   Reinstated or
Reopened

❒ 5   Transferred from
another district
(specify)

❒ 6   Multidistrict
Litigation

❒ 7   Appeal to District
Judge from
Magistrate
Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (**Do not cite jurisdictional statutes unless diversity**):

Brief description of cause:

VII. REQUESTED IN
COMPLAINT:

❒ CHECK IF THIS IS A **CLASS ACTION**
UNDER F.R.C.P. 23

DEMAND $

CHECK YES only if demanded in complaint:

JURY DEMAND: ❒ Yes   ❒ No

VIII. RELATED CASE(S)
IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #   AMOUNT   APPLYING IFP   JUDGE   MAG. JUDGE

JS 44 Reverse (Rev. 11/04)

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I.   **(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II.   **Jurisdiction**. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

III.   **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV.   **Nature of Suit**. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

V.   **Origin**. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

VI.   **Cause of Action**. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity**.   Example: U.S. Civil Statute: 47 USC 553
                                                                        Brief Description: Unauthorized reception of cable service

VII.   **Requested in Complaint**. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII.   **Related Cases**. This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

,	)	
plaintiff,	)	
	)	
v.	)	Case No.
	)	
,	)	
defendant.	)	

ORIGINAL FILING FORM

THIS FORM MUST BE COMPLETED AND VERIFIED BY THE FILING PARTY WHEN INITIATING A NEW CASE.

THIS CAUSE, OR A SUBSTANTIALLY EQUIVALENT COMPLAINT, WAS

PREVIOUSLY FILED IN THIS COURT AS CASE NUMBER_____

AND ASSIGNED TO THE HONORABLE JUDGE_____.

NEITHER THIS CAUSE, NOR A SUBSTANTIALLY EQUIVALENT COMPLAINT,

PREVIOUSLY HAS BEEN FILED IN THIS COURT, AND THEREFORE MAY BE

OPENED AS AN ORIGINAL PROCEEDING.

The undersigned affirms that the information provided above is true and correct.

Date:_____

_____
Signature of Filing Party

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.
	)	
TWENTY-ONE THOUSAND, ONE HUNDRED	)	
TWENTY DOLLARS IN U.S. CURRENCY	)	
($21,120.00),	)	
	)	
Defendant.	)	

WARRANT FOR ARREST OF PROPERTY

TO: THE UNITED STATES MARSHAL AND/OR ANY OTHER DULY AUTHORIZED LAW ENFORCEMENT OFFICER FOR THE EASTERN DISTRICT OF MISSOURI

Whereas, on July 2, 2018, the United States of America filed a Verified Complaint for Civil Forfeiture in the United States District Court for the Eastern District of Missouri, against the above-named defendant property, alleging that said property is subject to seizure and civil forfeiture to the United States for the reasons mentioned in the complaint; and

WHEREAS, the defendant property is currently in the possession, custody, or control of the United States; and

WHEREAS, in these circumstances, Supplemental Rule G(3)(b)(i) directs the Clerk of the Court to issue an arrest warrant in rem for the arrest of the defendant property; and

WHEREAS, Supplemental Rule G(3)(c) provides that the warrant of arrest in rem must be delivered to a person or organization authorized to execute it;

NOW THEREFORE, you are hereby commanded to arrest the above-named defendant property by serving a copy of this warrant on the custodian in whose possession, custody, or

control the property is presently found, and to use whatever means may be appropriate to protect

and maintain it in your custody until further order of this Court,

YOU ARE FURTHER COMMANDED, promptly after execution of this process, to file

the same in this Court with your return thereon, identifying the individuals upon whom copies

were served and the manner employed.

GREGORY J. LINHARES, CLERK
United States District Court

By: _____
Deputy Clerk

Date: _____